

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA**

JOHN P. POLCASTRO, SR.,)
Plaintiff,)
v.) Civil Action No. 1:05-cv-00909-MEF-VPM
GREG WARD, et al.,)
Defendants.)

**DEFENDANTS' GREG WARD, CARL ROWE, DONALD WEEKS, AND RAY MOCK'S
RESPONSE TO THIS COURT'S ORDER DATED AUGUST 11, 2006**

COME NOW Sheriff Greg Ward, Carl Rowe, Donald Weeks, and Ray Mock, Defendants in the above-styled cause, and respond to this Court's Order dated August 11, 2006, as follows:

1. The Plaintiff's "Mug Shot" photographs are attached to this Response as Exhibit A. (See Exhibit B, Second Supplemental Affidavit of Carl Rowe, "Rowe Aff." ¶ 4 for authentication of these photographs.) "Mug Shot" photographs are taken upon the inmate's booking into the Geneva County Detention Facility. (Rowe Aff. ¶ 3.)
2. In accordance with this Court's Order, Sheriff Greg Ward, along with Deputy Perez have attempted to locate photographs (in addition to the booking photographs) of the Plaintiff. They have exhausted every possible avenue in searching for additional photographs. However, they have been unable to locate additional photographs. (Exhibit C, Supplemental Affidavit of Greg Ward, "Ward Aff." ¶ 3.)
3. Deputy Ray Mock is currently unable to work due to having broken his back. He is going to have surgery on his back, and will return to work when he is able to do so. Sheriff Ward has enlisted Deputy Mock's help over the telephone, but has still been unable to locate

additional photographs. Upon Deputy Mock's return, Sheriff Ward will instruct him to complete an additional exhaustive search for additional photographs of the Plaintiff. (Ward Aff. ¶ 4.)

Respectfully submitted this the 30th day of August, 2006.

s/C. Richard Hill, Jr.
C. RICHARD HILL, JR. Bar No. HIL045
Attorney for Defendants
WEBB & ELEY, P.C.
7475 Halcyon Pointe Drive (36117)
Post Office Box 240909
Montgomery, Alabama 36124
Telephone: (334) 262-1850
Fax: (334) 262-1889
E-mail: rhill@webbeley.com

CERTIFICATE OF SERVICE

I hereby certify that on this the 30th day of August, 2006, I have electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, and that I have mailed a true and correct copy of the foregoing by United States Mail, postage prepaid, to the following non-CM/ECF participant:

John P. Polcastro, Sr.
AIS 245168
Fountain Correctional Facility
Fountain 3800
Atmore, AL 36503

s/C. Richard Hill, Jr.
OF COUNSEL